Original

MICHAEL N. FEUER, City Attorney (SBN 111529X)
TIMOTHY MCWILLIAMS, Assistant City Attorney (SBN 167769)
NANCY E. WAX, Deputy City Attorney (SBN 82851)
701 City Hall East
200 North Main Street
Los Angeles, CA 90012
Telephone Number: (213) 978-8253
Facsimile: (213) 978-8090
E-mail: nancy.wax@lacity.org

Attorneys for Plaintiff
CITY OF LOS ANGELES

NO FEE -- GOV'T CODE § 6103

FILED
Superior Court of California
County of Los Angeles
MAY 16 2014
Sherri R. Carter, Executive Officer/Clerk
By Shaunya Bolden Deputy

leg William Daley

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

CITY OF LOS ANGELES, a municipal corporation, Plaintiff, vs. COLIN SHORKEND; BEVERLY SHORKEND; ZIONS FIRST NATIONAL BANK; CATHAY BANK, a California Banking Corporation; MARIO B. ROMAN dba MARIO B. ROMAN CONSTRUCTION; LOS ANGELES COUNTY TAX COLLECTOR; DOES 1 through 50; and ALL PERSONS UNKNOWN CLAIMING AN INTEREST IN THE PROPERTY TO BE CONDEMNED HEREIN, Defendants.	Case No.: BC545917 **COMPLAINT IN EMINENT DOMAIN** [C.C.P. § 1250.310] APN Numbers: 5164-007-017 Parcel No. 2F

Plaintiff, the City of Los Angeles, a municipal corporation ("City or Plaintiff") hereby complains of Defendants and alleges as follows:

1. Plaintiff City is now, and at all relevant times was a municipal corporation organized under the laws of the State of California and is vested by law with authority to exercise the power of eminent domain to acquire private property to be used for bridge construction, a public use.

The real property hereinafter described is located within the municipal limits of the City of Los Angeles, County of Los Angeles, State of California.

2. After notice pursuant to Code of Civil Procedure §1245.235, the City Council of the City of Los Angeles regularly convened on October 30, 2013. Pursuant to Code of Civil Procedure §§1245.210 through 1245.270, and by at least a two-thirds vote of all its members, the City Council passed and adopted a Resolution of Necessity. The Council of the City of Los Angeles has heretofore passed by a vote of not less than two-thirds of all its members and the Mayor has subsequently approved Ordinance No. 182767, which is now in full force and effect. (A certified copy of the Ordinance containing the Resolution of Necessity is attached as Exhibit "A").

3. The Council of the City of Los Angeles is the legislative body of the Plaintiff. Section 2 of the Ordinance sets forth the public use for which the parcel is to be taken and the statute which authorizes the acquisition of said parcel by eminent domain. The Ordinance further alleges the necessity and public use for the acquisition. In addition, attached hereto as Exhibit "B" is a map which portrays the property to be taken.

4. The nature of the interests to be acquired and the description of the real property in which said interests are to be acquired is identified as Parcel Number 2F, and which are more fully described in the following legal description:

LOTS 48, 40 AND 50 OF THE GOODWIN TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 42 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

5. The following named defendants appear of record or are believed by the City of Los Angeles to have, or claim to have, an interest in the described property. For the convenience of the court and parties, and not as allegations to which the City of Los Angeles intends to be bound, their names and possible interests are set forth below:

NAME	INTEREST
Colin Shorkend	Owner
Beverly Shorkend	Owner

Zions First National Bank	Lien Holder
Cathay Bank	Lien Holder
Mario B. Roman	Lien Holder
Mario B. Roman Construction	Lien Holder
Los Angeles County Tax Collector	Lien Holder

6. Defendants DOES 1 through 50, inclusive, have or claim to have an interest in the property, the exact nature of which is unknown to Plaintiff City. The true names and capacities, whether individual, corporate, associate or otherwise of defendants DOES 1 through 50, inclusive, are unknown to Plaintiff City who, therefore, sues them by such fictitious names. Plaintiff will seek leave to amend this complaint to show their true names and capacities and state of incorporation when ascertained.

7. Plaintiff also names as defendants "ALL PERSONS UNKNOWN AND CLAIMING INTEREST IN THE PROPERTY."

8. Pursuant to California Revenue and Taxation Code Section 5083, the amount of taxes, assessments, penalties and costs constituting a lien upon the property sought to be acquired will be deducted from the just compensation to be awarded, unless the taxing agency to whom such taxes, assessments, penalties or costs are owned disclaims its right to receive same.

WHEREFORE, Plaintiff prays:

1. That the Court determine the amount of compensation to which all defendants claiming an interest in the property are entitled;

2. The property herein described be condemned to plaintiff's use in fee simple absolute for the construction, operation, and maintenance of the Sixth Street Viaduct Replacement Project, such that the Court will issue a final order of condemnation; and

. . .

. . .

. . .

3. All liens and encumbrances against the property be deducted from the judgment; and.

4. For such other relief as the court deems just and proper.

DATED: May 15, 2014

Respectfully submitted,

MICHAEL N. FEUER, City Attorney
TIMOTHY MCWILLIAMS, Assistant City Attorney
NANCY E. WAX, Deputy City Attorney

By _____
NANCY E. WAX
Deputy City Attorney

Attorneys for Plaintiff
CITY OF LOS ANGELES

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EXHIBIT A

HOLLY L. WOLCOTT
Interim City Clerk

When making inquiries relative to this matter, please refer to the Council File No.

CALIFORNIA

ERIC GARCETTI
MAYOR

Office of the
CITY CLERK

Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
General Information - (213) 978-1133
Fax: (213) 978-1040

SHANNON HOPPES
Council and Public Services
Division

www.cityclerk.lacity.org

CERTIFICATION

STATE OF CALIFORNIA,
} ss
COUNTY OF LOS ANGELES,

I, City Clerk of the City of Los Angeles and ex-officio Clerk of the City Council of the City of Los Angeles, do hereby certify and attest the foregoing to be a full, true and correct copy of the original **Ordinance No. 182767, in its entirety,** on file in my office, and that I have carefully compared the same with the original.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of the City of Los Angeles, this **15th day of MAY, 2014.**

City Clerk of the City of Los Angeles

By _____
Julia Amanti, Deputy

An Equal Employment Opportunity – Affirmative Action Employer

RA

ORDINANCE NO. 182767

An ordinance of the City of Los Angeles finding that the public interest and necessity require the "Sixth Street Viaduct Replacement Project," and the acquisition of property therefor (Work Order No. E700224L, Right of Way No. 33746).

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. The Council of the City of Los Angeles resolves, finds and determines that the public interest and necessity require the "Sixth Street Viaduct Replacement Project" (Work Order No. E700224L, Right of Way No. 33746); the project is planned and located in the manner which is most compatible with the greatest public good and the least private injury, the properties described herein are necessary for the project; the properties have been appraised and an amount has been established for each property which it is believed to be just compensation for the property, and an offer has been made to the owner or owners of record to acquire the property for the full amount of said just compensation.

Sec. 2. The properties are to be acquired for permanent public street and viaduct and temporary construction purposes under the authority of California Government Code Section 37350.5.

Sec. 3. The properties to be acquired are located in the City of Los Angeles, County of Los Angeles, State of California. The property interests to be acquired are set forth hereinafter and the extent of each acquisition is described by reference to the attached R/W Map No. 33746.

Permanent Public Street Easement

- (PARCEL 1F) (APN NOS. 5164-007-002,-018,-019 AND -020);
- (PARCEL 2F) (APN NO. 5164-007-017);
- (PARCEL 3F) (APN NOS. 5164-007-015 AND -016);
- (PARCEL 4F) (APN NOS. 5164-007-022 AND-024);
- (PARCEL 14F) (APN NO. 5171-014-005);
- (PARCEL 23F) (APN NOS. 5171-005-008, -009 AND 013);
- (PARCEL 25F) (APN NO. 5171-004-017);
- (PARCEL 32F) VACANT LOTS (APN NOS. 5164-016-009,-010 AND A PORTION OF -803); and
- (PARCEL 33F) (APN NO. 5164-015-001).

Sec. 4. Notice has been given by First Class mail to each person whose property is to be acquired by eminent domain, which notice advised each such person of the intent of the Council to adopt this ordinance, of the right to appear and be heard by the Council, and each owner who so requested was given an opportunity to appear and was heard by the Council.

Sec. 5. The City Attorney is authorized to commence an action in eminent domain to acquire said properties.

Sec. 6. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was introduced at the meeting of the Council of the City of Los Angeles of OCT 2 3 2013 and was passed by a vote of not less than two-thirds of all its members, at its meeting of OCT 3 0 2013

HOLLY L. WOLCOTT, Interim City Clerk

By _____
Deputy

Approved 11/6/13

_____
Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By _____
JOHN A. MINOR
Deputy City Attorney

Date: Sept. 11, 2013

File No. CF Nos. 10-1409 and 11-1789

M:\Real Prop_Env_Land Use\Real Property_Environment\John Minor\6th St Bridge\Correspondence\Draft Ordinance.doc

(PARCEL 1F)

LEGAL DESCRIPTION

LOTS 4, 51, 52, 53 AND 54 OF THE GOODWIN TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11 PAGE(S) 42 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

END OF LEGAL DESCRIPTION

(PARCEL 2F)

LEGAL DESCRIPTION

LOTS 48, 49 AND 50 OF THE GOODWIN TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 42 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

END OF LEGAL DESCRIPTION

(PARCEL 3F)

Order No.: 106740318-X02

LEGAL DESCRIPTION

LOTS 44, 45, 46 AND 47 OF THE GOODWIN TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11 PAGE 42 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

END OF LEGAL DESCRIPTION

(PARCEL 4F)

Order No.: 106740319-X02

LEGAL DESCRIPTION

PARCEL 1:

LOTS 10 THROUGH 15, INCLUSIVE, OF THE GOODWIN TRACT, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11 PAGE 42 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 2:

LOTS 40, 41, 42 AND 43 OF THE GOODWIN TRACT, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11 PAGE 42 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

END OF LEGAL DESCRIPTION

(PARCEL 14F)

Order No.: 106740337-X02

LEGAL DESCRIPTION

THAT CERTAIN PARCEL OF LAND, SITUATED IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BEING A PORTION OF LOT 4 OF TRACT NO. 207, AS PER MAP RECORDED IN BOOK 13, PAGE 168 OF MAPS, IN THE OFFICE OF THE COUNTY' RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT OF INTERSECTION OF A WESTERLY LINE OF THAT CERTAIN STRIP OF LAND GRANTED CITY OF LOS ANGELES, FOR ROAD PURPOSES DESCRIBED IN EASEMENT RECORDED IN BOOK 43872 PAGE 10, OFFICIAL RECORDS OF SAID COUNTY, WITH THE NORTHEASTERLY LINE OF WHITTIER BOULEVARD AS DESCRIBED IN THE FINAL DECREE OF CONDEMNATION ENTERED IN CASE NO. 296924 OF THE SUPERIOR COURT IN AND FOR SAID COUNTY, A CERTIFIED COPY THEREOF BEING RECORDED IN BOOK 11213 PAGE 208, OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG SAID NORTHEASTERLY LINE OF WHITTIER BOULEVARD, NORTH 72 DEGREES 58' 12" WEST, 176.47 FEET; THENCE LEAVING SAID NORTHEASTERLY LINE, NORTH 10 DEGREES 35' 30" WEST, 72.22 FEET TO A POINT ON A CIRCULAR CURVE FROM WHICH THE CENTER BEARS SOUTH 83 DEGREES 18' 36" EAST 221.01 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE, AN ARC DISTANCE OF 225.25 FEET TO SAID WESTERLY LINE OF SAID EASEMENT; THENCE ALONG SAID WESTERLY LINE, SOUTH 10 DEGREES 35' 30" EAST 302.52 FEET TO THE POINT OF BEGINNING.

EXCEPT ALL MINERALS, ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, OIL AND GAS AND RIGHTS THERETO, TOGETHER WITH THE SOLE, EXCLUSIVE, AND PERPETUAL RIGHT TO EXPLORE FOR, REMOVE, AND DISPOSE OF SAID MINERALS, BY ANY MEANS OR METHODS SUITABLE TO THE GRANTOR, ITS SUCCESSORS, AND ASSIGNS, BUT WITHOUT ENTERING UPON OR USING THE SURFACE OF THE LANDS HEREBY CONVEYED, AND IN SUCH MANNER AS NOT TO DAMAGE THE SURFACE OF SAID LANDS OR TO INTERFERE WITH THE USE THEREOF BY THE GRANTEE, ITS SUCCESSORS, AND ASSIGNS, AS RESERVED BY LOS ANGELES AND SALT LAKE RAILROAD COMPANY, FORMERLY SAN PEDRO, A UTAH CORPORATION, IN DEED RECORDED FEBRUARY 26, 1968 AND AS RESERVED BY UNION PACIFIC RAILROAD COMPANY, A UTAH CORPORATION, IN DEED RECORDED FEBRUARY 26, 1968.

SAID LAND IS NOW CARRIED AS PARCEL A, IN THE CITY OF LOS ANGELES, AS SHOWN ON A PARCEL MAP NO. 804, FILED IN BOOK 10, PAGE 6 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

END OF LEGAL DESCRIPTION

(PARCEL 23F)

Order No.: 106740353-X02

LEGAL DESCRIPTION

LOTS 20, 21, 22, 23, 24, 25 AND 26 IN BLOCK "B" OF STRONG AND DICKINSON'S SALT LAKE RAILROAD TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 7 PAGE 104 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

END OF LEGAL DESCRIPTION

(PARCEL 25F)

LEGAL DESCRIPTION

LOTS 27, 28, 29, 30, 31 AND 32 IN BLOCK "C" OF THE STRONG AND DICKINSON'S SALT LAKE RAILROAD TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 7 PAGE 104 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH THAT PORTION OF THE ALLEY VACATED BY ORDINANCE NO. 89807 ADJOINING LOTS IN BLOCK "C" BOUNDED NORTHERLY BY THE EASTERLY PROLONGATION OF THE NORTHERLY LINE OF SAID LOT 27.

EXCEPT FROM SAID LOTS 29, 30, 31 AND 32, THAT PORTION INCLUDED WITHIN THE FOLLOWING DESCRIBED LINES:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 32; THENCE ALONG THE NORTHEASTERLY LINE OF SAID LOTS 32, 31, 30 AND 29 NORTH 23° 43' 30" WEST A DISTANCE OF 89.16 FEET; THENCE SOUTH 7° 16' 30" WEST A DISTANCE OF 68.00 FEET; THENCE NORTH 82° 43' 30" WEST A DISTANCE OF 17 FEET; THENCE SOUTH 13° 16' 30" A WEST A DISTANCE 43.83 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAID LOT 32, DISTANT THEREON SOUTH 69° 45' 00" 76.11 FEET FROM THE POINT OF BEGINNING; THENCE NORTH 69° 46' 00" EAST 76.11 FEET TO THE POINT OF BEGINNING.

END OF LEGAL DESCRIPTION

R/W 33746 -32F
W. O. E700224L
D.M. 126A217 & 124-5A217

Those portions of Lots 76 through 87, inclusive, of the Goodwin Tract, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 11 Page 42 of Miscellaneous Records, in the office of the County Recorder of said county, bounded and described as follows:

Beginning at the southwest corner of said Lot 79, said corner being on the easterly line of Mesquit Street, 50.00 feet wide, as shown on said tract map; thence along said easterly line North 5°20'00" West 150.00 feet to a point that is distant 10.00 feet southerly, measured along said easterly line from the northwest corner of said Lot 76; thence North 84°50'00" East 89.00 feet parallel with the northerly line of said Lot 76; thence South 11°02'38" East 110.66 feet to a point on the southerly line of said Lot 78 distant 100.00 feet easterly from the southwest corner of said Lot 78, measured along said southerly line of said Lot 78; thence South 11°34'31" East 345.91 feet last said course passes through a point on the southerly line of said Lot 86 distant 135.00 feet easterly from the southwest corner of said Lot 86, measured along said southerly line of said Lot 86; thence South 79°26'45" West a distance of 44.18 feet; thence North 10°41'21" West 188.70 feet to a point on the southerly line of said Lot 82 distant 76.00 feet easterly from the southwest corner of said Lot 82, measured along said southerly line of said Lot 82; thence North 11°30'59" West 120.70 feet to a point on the southerly line of said Lot 79 distant 63.00 feet easterly from the southwest corner of said Lot 79, measured along said southerly line of said Lot 79; thence along said southerly line of said Lot 79, South 84°50'00" West a distance of 63.00 feet to the point of beginning

Containing: 27,438 square feet

U:\ROW\RW33746\PCL-32F

(PARCEL 33F)

LEGAL DESCRIPTION

LOTS 69 THROUGH 75, INCLUSIVE OF THE GOODWIN TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11 PAGES 42 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

END OF LEGAL DESCRIPTION

DECLARATION OF POSTING ORDINANCE

I, MARIA VIZCARRA, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 182767 – Public interest and necessity require the "Sixth Street Viaduct Replacement Project," and the acquisition of property therefor (Work Order No. E700224L, Right of Way No. 33746) - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on **October 30, 2013**, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on **November 7, 2013** I posted a true copy of said ordinance at each of the three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Copies of said ordinance were posted conspicuously beginning on **November 7, 2013** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this **7th** day of **November, 2013** at Los Angeles, California.

Maria Vizcarra, Deputy City Clerk

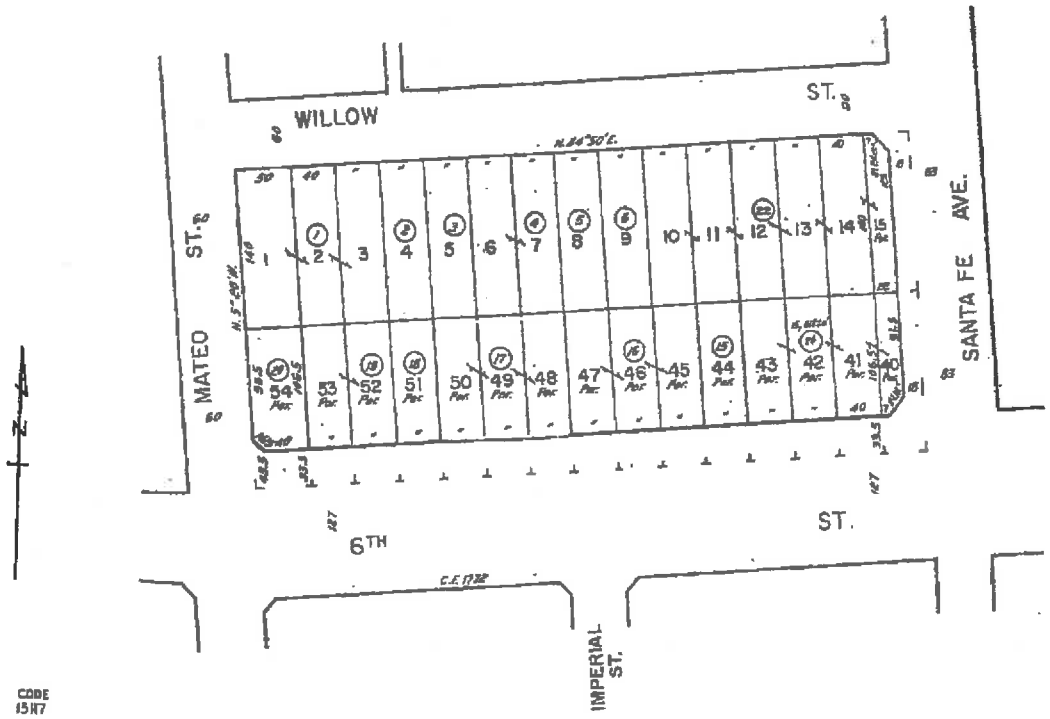
Ordinance Effective Date: December 17, 2013 **Council File No. 11-1789-S3**

Rev. (2/21/06)

EXHIBIT B

APN: 5164-007-017

2011



THE GOODWIN TRACT

M.R. 11-42

R. P. LAURAIN
& ASSOCIATES
APPRAISERS - ANALYSTS

to B

NANCY E. WAX, Deputy City Attorney (SBN 82851)
701 City Hall East
200 N. Main Street
Los Angeles, CA 90012

TELEPHONE NO.: 213.978.8253 FAX NO.:
ATTORNEY FOR (Name): City of Los Angeles

Original

FILED
Superior Court of California
County of Los Angeles

MAY 16 2014

Sherri R. Carter, Executive Officer/Clerk
By _____ Deputy
Shauniya Bolden

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
STREET ADDRESS: 111 N. Hill Street
MAILING ADDRESS:
CITY AND ZIP CODE: Los Angeles, CA 90012
BRANCH NAME: Central District

CASE NAME: CITY OF LOS ANGELES VS. COLIN SHORKEND; BEVERLY SHORKEND; ET AL.

CASE NUMBER: BC545917

JUDGE:
DEPT:

CIVIL CASE COVER SHEET
[X] Unlimited (Amount demanded exceeds $25,000)
[ ] Limited (Amount demanded is $25,000 or less)

Complex Case Designation
[ ] Counter [ ] Joinder
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort
- [ ] Auto (22)
- [ ] Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort
- [ ] Asbestos (04)
- [ ] Product liability (24)
- [ ] Medical malpractice (45)
- [ ] Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort
- [ ] Business tort/unfair business practice (07)
- [ ] Civil rights (08)
- [ ] Defamation (13)
- [ ] Fraud (16)
- [ ] Intellectual property (19)
- [ ] Professional negligence (25)
- [ ] Other non-PI/PD/WD tort (35)

Employment
- [ ] Wrongful termination (36)
- [ ] Other employment (15)

Contract
- [ ] Breach of contract/warranty (06)
- [ ] Rule 3.740 collections (09)
- [ ] Other collections (09)
- [ ] Insurance coverage (18)
- [ ] Other contract (37)

Real Property
- [X] Eminent domain/inverse condemnation (14)
- [ ] Wrongful eviction (33)
- [ ] Other real property (26)

Unlawful Detainer
- [ ] Commercial (31)
- [ ] Residential (32)
- [ ] Drugs (38)

Judicial Review
- [ ] Asset forfeiture (05)
- [ ] Petition re: arbitration award (11)
- [ ] Writ of mandate (02)
- [ ] Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)
- [ ] Antitrust/Trade regulation (03)
- [ ] Construction defect (10)
- [ ] Mass tort (40)
- [ ] Securities litigation (28)
- [ ] Environmental/Toxic tort (30)
- [ ] Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment
- [ ] Enforcement of judgment (20)

Miscellaneous Civil Complaint
- [ ] RICO (27)
- [ ] Other complaint *(not specified above)* (42)

Miscellaneous Civil Petition
- [ ] Partnership and corporate governance (21)
- [ ] Other petition *(not specified above)* (43)

2. This case [ ] is [X] is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
   a. [ ] Large number of separately represented parties
   b. [ ] Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
   c. [ ] Substantial amount of documentary evidence
   d. [ ] Large number of witnesses
   e. [ ] Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
   f. [ ] Substantial postjudgment judicial supervision
3. Remedies sought *(check all that apply)*: a. [X] monetary b. [ ] nonmonetary; declaratory or injunctive relief c. [ ] punitive
4. Number of causes of action *(specify)*:
5. This case [ ] is [X] is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. *(You may use form CM-015.)*

Date: May 15, 2014
NANCY E. WAX, Deputy City Attorney (SBN
(TYPE OR PRINT NAME) (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE
- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Legal Solutions Plus

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than $25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort
- Auto (22)—Personal Injury/Property Damage/Wrongful Death
- Uninsured Motorist (46) *(if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)*

Other PI/PD/WD (Personal Injury/ Property Damage/Wrongful Death) Tort
- Asbestos (04)
  - Asbestos Property Damage
  - Asbestos Personal Injury/ Wrongful Death
- Product Liability *(not asbestos or toxic/environmental)* (24)
- Medical Malpractice (45)
  - Medical Malpractice–Physicians & Surgeons
  - Other Professional Health Care Malpractice
- Other PI/PD/WD (23)
  - Premises Liability (e.g., slip and fall)
  - Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
  - Intentional Infliction of Emotional Distress
  - Negligent Infliction of Emotional Distress
  - Other PI/PD/WD

Non-PI/PD/WD (Other) Tort
- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) *(not civil harassment)* (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
  - Legal Malpractice
  - Other Professional Malpractice *(not medical or legal)*
- Other Non-PI/PD/WD Tort (35)

Employment
- Wrongful Termination (36)
- Other Employment (15)

Contract
- Breach of Contract/Warranty (06)
  - Breach of Rental/Lease Contract *(not unlawful detainer or wrongful eviction)*
  - Contract/Warranty Breach—Seller Plaintiff *(not fraud or negligence)*
  - Negligent Breach of Contract/ Warranty
  - Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
  - Collection Case—Seller Plaintiff
  - Other Promissory Note/Collections Case
- Insurance Coverage *(not provisionally complex)* (18)
  - Auto Subrogation
  - Other Coverage
- Other Contract (37)
  - Contractual Fraud
  - Other Contract Dispute

Real Property
- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
  - Writ of Possession of Real Property
  - Mortgage Foreclosure
  - Quiet Title
  - Other Real Property *(not eminent domain, landlord/tenant, or foreclosure)*

Unlawful Detainer
- Commercial (31)
- Residential (32)
- Drugs (38) *(if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)*

Judicial Review
- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
  - Writ–Administrative Mandamus
  - Writ–Mandamus on Limited Court Case Matter
  - Writ–Other Limited Court Case Review
- Other Judicial Review (39)
  - Review of Health Officer Order
  - Notice of Appeal–Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)
- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Insurance Coverage Claims *(arising from provisionally complex case type listed above)* (41)

Enforcement of Judgment
- Enforcement of Judgment (20)
  - Abstract of Judgment (Out of County)
  - Confession of Judgment *(non-domestic relations)*
  - Sister State Judgment
  - Administrative Agency Award *(not unpaid taxes)*
  - Petition/Certification of Entry of Judgment on Unpaid Taxes
  - Other Enforcement of Judgment Case

Miscellaneous Civil Complaint
- RICO (27)
- Other Complaint *(not specified above)* (42)
  - Declaratory Relief Only
  - Injunctive Relief Only *(non-harassment)*
  - Mechanics Lien
  - Other Commercial Complaint Case *(non-tort/non-complex)*
  - Other Civil Complaint *(non-tort/non-complex)*

Miscellaneous Civil Petition
- Partnership and Corporate Governance (21)
- Other Petition *(not specified above)* (43)
  - Civil Harassment
  - Workplace Violence
  - Elder/Dependent Adult Abuse
  - Election Contest
  - Petition for Name Change
  - Petition for Relief from Late Claim
  - Other Civil Petition

SHORT TITLE: CITY OF LOS ANGELES VS. COLIN SHORKEND; BEVERLY SHORKEND; ET AL.	CASE NUMBER BC545917

CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION (CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☐ YES CLASS ACTION? ☐ YES LIMITED CASE? ☐ YES TIME ESTIMATED FOR TRIAL 5 - 7 ☐ HOURS/ ☒ DAYS

Item II. Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

Step 3: In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

1. Class actions must be filed in the Stanley Mosk Courthouse, central district.
2. May be filed in central (other county, or no bodily injury/property damage).
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	☐ A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	☐ A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Asbestos (04)	☐ A6070 Asbestos Property Damage ☐ A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	☐ A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	☐ A7210 Medical Malpractice - Physicians & Surgeons ☐ A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	☐ A7250 Premises Liability (e.g., slip and fall) ☐ A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) ☐ A7270 Intentional Infliction of Emotional Distress ☐ A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4. 1., 4. 1., 3. 1., 4.

SHORT TITLE: CITY OF LOS ANGELES VS. COLIN SHORKEND; BEVERLY SHORKEND; ET AL.	CASE NUMBER

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/ Property Damage/ Wrongful Death Tort	Business Tort (07)	☐ A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
	Civil Rights (08)	☐ A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13)	☐ A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (16)	☐ A6013 Fraud (no contract)	1., 2., 3.
	Professional Negligence (25)	☐ A6017 Legal Malpractice ☐ A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
	Other (35)	☐ A6025 Other Non-Personal Injury/Property Damage tort	2.,3.
Employment	Wrongful Termination (36)	☐ A6037 Wrongful Termination	1., 2., 3.
	Other Employment (15)	☐ A6024 Other Employment Complaint Case ☐ A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Contract	Breach of Contract/ Warranty (06) (not insurance)	☐ A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) ☐ A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) ☐ A6019 Negligent Breach of Contract/Warranty (no fraud) ☐ A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
	Collections (09)	☐ A6002 Collections Case-Seller Plaintiff ☐ A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
	Insurance Coverage (18)	☐ A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
	Other Contract (37)	☐ A6009 Contractual Fraud ☐ A6031 Tortious Interference ☐ A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
Real Property	Eminent Domain/Inverse Condemnation (14)	☒ A7300 Eminent Domain/Condemnation Number of parcels 1	2.
	Wrongful Eviction (33)	☐ A6023 Wrongful Eviction Case	2., 6.
	Other Real Property (26)	☐ A6018 Mortgage Foreclosure ☐ A6032 Quiet Title ☐ A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
Unlawful Detainer	Unlawful Detainer-Commercial (31)	☐ A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer-Residential (32)	☐ A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer-Post-Foreclosure (34)	☐ A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
	Unlawful Detainer-Drugs (38)	☐ A6022 Unlawful Detainer-Drugs	2., 6.

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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	☐ A6108 Asset Forfeiture Case	2., 6.
	Petition re Arbitration (11)	☐ A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
	Writ of Mandate (02)	☐ A6151 Writ - Administrative Mandamus ☐ A6152 Writ - Mandamus on Limited Court Case Matter ☐ A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
	Other Judicial Review (39)	☐ A6150 Other Writ /Judicial Review	2., 8.
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	☐ A6003 Antitrust/Trade Regulation	1., 2., 8.
	Construction Defect (10)	☐ A6007 Construction Defect	1., 2., 3.
	Claims Involving Mass Tort (40)	☐ A6008 Claims Involving Mass Tort	1., 2., 8.
	Securities Litigation (28)	☐ A6035 Securities Litigation Case	1., 2., 8.
	Toxic Tort Environmental (30)	☐ A6036 Toxic Tort/Environmental	1., 2., 3., 8.
	Insurance Coverage Claims from Complex Case (41)	☐ A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment	Enforcement of Judgment (20)	☐ A6141 Sister State Judgment ☐ A6160 Abstract of Judgment ☐ A6107 Confession of Judgment (non-domestic relations) ☐ A6140 Administrative Agency Award (not unpaid taxes) ☐ A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax ☐ A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
Miscellaneous Civil Complaints	RICO (27)	☐ A6033 Racketeering (RICO) Case	1., 2., 8.
	Other Complaints (Not Specified Above) (42)	☐ A6030 Declaratory Relief Only ☐ A6040 Injunctive Relief Only (not domestic/harassment) ☐ A6011 Other Commercial Complaint Case (non-tort/non-complex) ☐ A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	☐ A6113 Partnership and Corporate Governance Case	2., 8.
	Other Petitions (Not Specified Above) (43)	☐ A6121 Civil Harassment ☐ A6123 Workplace Harassment ☐ A6124 Elder/Dependent Adult Abuse Case ☐ A6190 Election Contest ☐ A6110 Petition for Change of Name ☐ A6170 Petition for Relief from Late Claim Law ☐ A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

SHORT TITLE: CITY OF LOS ANGELES VS. COLIN SHORKEND; BEVERLY SHORKEND; ET AL.	CASE NUMBER

Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. ☐1. ☒2. ☐3. ☐4. ☐5. ☐6. ☐7. ☐8. ☐9. ☐10.	ADDRESS: 1425 E. 6th Street, Los Angeles, California 90013	
CITY: Los Angeles	STATE: CA	ZIP CODE: 90013

Item IV. *Declaration of Assignment*: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the County of L.A. courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: May 15, 2014

(SIGNATURE OF ATTORNEY/FILING PARTY)
NANCY E. WAX

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.